

05-31-02

Rec'd 5/14/02

Docket No. 0293.99R  
Serial No. 10/087,161

PATENT

Certificate of Mailing by "Express Mail"

Express Mail No.: **EF408136022US**

Date of Deposit: **May 29, 2002**

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" under 37 CFR 1.10 on the date indicated above and is addressed to the Assistant Commissioner for Patents, Washington, DC 20231

Margaret A. Connor  
(Typed Name of Person Mailing Paper or Fee)

Margaret Connor  
(Signature of Person Mailing Paper or Fee)

IN THE UNITED STATE PATENT & TRADEMARK OFFICE

In re application of	)	
Eric H. Erickson Jr et al.	)	ATTN: Office of Initial Patent Examination's
	)	Customer Service Center
CONTROL OF PARASITIC MITES	)	
OF HONEY BEES	)	
	)	
Serial No.: 10/087,161	)	
	)	
Date Filed: February 27,2002	)	

REQUEST FOR CORRECTION OF FILING RECEIPT

The Honorable

The Commissioner for Patents

Sir:

The Commissioner's attention is respectfully directed to the enclosed Official Filing Receipt issued for the above-identified application. Applicants request a new filing receipt be issued to correct errors. The number of independent claims is listed incorrectly. The subject application was filed with a total of 26 claims, including 7 independent claims. As shown, by the attached copy of the Fee Transmittal Form the correct claim count and fees were provided when the application was filed. The attached copy of the claims as filed shows claims 1, 8, 11, 15, 19, 22 and 23 are independent.

The Official Filing Receipt also indicates that a Request for Non-Publication was filed. As shown by the attached copy of Utility Patent Application Transmittal and Post Card Receipt, applicants filed a Request to Rescind Previous Non-Publication Request 35 U.S.C. 122(b)(2)(B)(ii). Please note that upon receiving the Official Filing Receipt, applicants contacted the U.S. Patent and

06/17/2002 HMDWMM1 00000015 502135 10087161

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84.00 CH

Docket No. 0293.99R  
Serial No. 10/087,161

PATENT

Trademark Office of Initial Patent Examination and spoke with Ms. Stokes. Ms. Stokes was kind enough to correct the publication error in the PTO database and asked that we mention this in our request for a corrected filing receipt. The present application was foreign filed simultaneously with the filing of this U.S. non-provisional application and publication is desired.

It was also noted on the Official Filing receipt that Eric H. Erickson was not listed as Eric H. Erickson Jr. as shown by the copy of the attached Application Data Sheet. It is applicants understanding, after speaking with Ms. Stokes, that the newly filed Declaration, attached hereto, executed as Eric H. Erickson Jr., will supercede the application data sheet and the inventors name will be printed correctly on the issued patent.

The Commissioner is authorized to charge any fee associated with this request to Deposit Account No. 50-2135.

If there are any questions or comments, the undersigned attorney earnestly requests a telephone conference.

Respectfully Submitted,

*Margaret Connor*  
Margaret A. Connor  
Attorney of Record  
Registration No. 30,043

Telephone: 510-527-1418 or 510-559-6067

Enclosures

Copy of Official Filing Receipt with changes made  
Copy of Fee Transmittal Form  
Copy of claims as filed in the application  
Copy of Utility Patent Application Transmittal  
Copy of Post Card Receipt  
Copy of Request to Rescind Previous Non-Publication Request 35 U.S.C. 122(b)(2)(B)(ii)  
Copy of Application Data Sheet  
Postcard Receipt


**UNITED STATES PATENT AND TRADEMARK OFFICE**

COMMISSIONER FOR PATENTS  
 UNITED STATES PATENT AND TRADEMARK OFFICE  
 WASHINGTON, D.C. 20231  
 www.uspto.gov

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY.DOCKET.NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
10/087,161	02/27/2002	1616	1100	0293.99R		26	-0-

25278  
 USDA-ARS-OFFICE OF TECHNOLOGY TRANSFER  
 PATENT ADVISORS OFFICE  
 WESTERN REGIONAL RESEARCH CENTER  
 800 BUCHANAN ST  
 ALBANY, CA 94710


**CONFIRMATION NO. 2630**
**FILING RECEIPT**


OC000000007754055\*

Date Mailed: 04/01/2002

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

**Applicant(s)**

Jr.

Eric H. Erickson, Tucson, AZ;  
 Gloria De-Grandi-Hoffman, Tucson, AZ;  
 Christian G. Becker, King of Prussia, PA;  
 Roy S. Whitson, Fresno, CA;  
 Thomas A. Deeby, Tucson, AZ;

 RECEIVED  
 APR 08 2002

BY: -----

**Domestic Priority data as claimed by applicant**

THIS APPLN CLAIMS BENEFIT OF 60/272,097 02/28/2001

**Foreign Applications**
**If Required, Foreign Filing License Granted 03/26/2002**
**Projected Publication Date: Request for Non-Publication Acknowledged**
**Non-Publication Request: Yes No**
**Early Publication Request: No**
**Title**

Control of parasitic mites of honey bees

**Preliminary Class**

424

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**LICENSE FOR FOREIGN FILING UNDER  
Title 35, United States Code, Section 184  
Title 37, Code of Federal Regulations, 5.11 & 5.15**

**GRANTED**

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

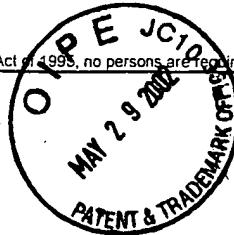
This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

**NOT GRANTED**

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.



**REQUEST TO RESCIND PREVIOUS  
NONPUBLICATION REQUEST  
35 U.S.C. 122(b)(2)(B)(ii)**

**COPY**

Application Number	60/272,097
Filing Date	02/28/2001
First Named Inventor	Eric H. Erickson Jr. et al.
Title	Control of Parasitic Mites of Honey Bees
Atty Docket Number	0293.99
Group Art Unit	
Examiner	
Express Mail No.	EF408136155US

I hereby **rescind** the previous request that the above-identified application not be published under 35 U.S.C. 122(b).

Feb. 27, 2002

Date

Margaret A. Connor

Signature

Margaret A. Connor

Typed or printed name

This request must be signed in compliance with 37 CFR 1.33(b).

Note: Filing this rescission of a previous nonpublication request is considered the notice of a subsequent foreign or International filing required by 35 USC 122(b)(2)(B)(iii) and 37 CFR 1.213(c) if this rescission is filed no later than forty-five (45) days after the date of filing of such foreign or international application. See 37 CFR 1.137(f) if a notice of subsequent foreign or International filing required by 35 USC 122(b)(2)(B)(iii) and 37 CFR 1.213(c) is not filed within forty-five (45) days after the date of filing of the foreign or international application.

**CERTIFICATE OF MAILING OR TRANSMISSION**

I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" Under 37 CFR 1.10 on the date indicated below and is addressed to Commissioner for Patents, Washington, DC 20231

Name (Print/Type) Margaret A. Connor

Signature Margaret A. Connor Date

February 27, 2002

**Burden Hour Statement:** This collection of information is required by 37 CFR 1.213(b). The information is used by the public to rescind a previously filed request that an application not be published under 35 U.S.C. 122(b) (and the PTO to process that rescission). Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This form is estimated to take 6 minutes to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, D.C. 20231.

**U.S. Patent and**  
**Trademark Office, U.S. DEPARTMENT OF COMMERCE**

**FEE  
TRANSMITTAL  
FY2002**

(Patent fees are subject to annual revision)

<h1 style="text-align: center;">FEE TRANSMITTAL FY2002</h1> <p style="text-align: center;">(Patent fees are subject to annual revision)</p>		<p style="text-align: center;">MAY 29 2002 U.S. POSTAL SERVICE PATENT &amp; TRADEMARK OFFICE</p>		Certificate of Mailing by Express Mail																																																																																																																					
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<p>1. The Commissioner is hereby authorized to charge any fees set forth in CFR §§ 1.116 to 1.118 to the Deposit Account listed below for the entire pendency of the application, or credit any overpayment to this account. A duplicate copy of this sheet is enclosed:</p> <p>Deposit Account Number: 50-2135 Deposit Account Name: USDA-ARS-OTT Patent Advisor</p>				<p>3. Additional Fees</p> <table border="1"> <thead> <tr> <th>Large Fee Code</th> <th>Entity</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr> <td>105</td> <td>130.00</td> <td>Surcharge – late filing fee or oath</td> <td></td> </tr> <tr> <td>127</td> <td>50.00</td> <td>Surcharge – late provisional filing fee or cover sheet</td> <td></td> </tr> <tr> <td>139</td> <td>130.00</td> <td>Non-English specification</td> <td></td> </tr> <tr> <td>147</td> <td>2,520.00</td> <td>For filing a request for examination</td> <td></td> </tr> <tr> <td>112</td> <td>920.00*</td> <td>Requesting publication of SIR prior to Examiner action</td> <td></td> </tr> <tr> <td>113</td> <td>1,840.00*</td> <td>Requesting publication of SIR after Examiner action</td> <td></td> </tr> <tr> <td>115</td> <td>110.00</td> <td>Ext. for reply within first month</td> <td></td> </tr> <tr> <td>116</td> <td>400.00</td> <td>Ext. for reply within second month</td> <td></td> </tr> <tr> <td>117</td> <td>920.00</td> <td>Ext. for reply within third month</td> <td></td> </tr> <tr> <td>118</td> <td>1,440.00</td> <td>Ext. for reply within fourth month</td> <td></td> </tr> <tr> <td>128</td> <td>1,960.00</td> <td>Ext. for reply within fifth month</td> <td></td> </tr> <tr> <td>119</td> <td>320.00</td> <td>Notice of Appeal</td> <td></td> </tr> <tr> <td>120</td> <td>320.00</td> <td>Filing a brief in support of an appeal</td> <td></td> </tr> <tr> <td>121</td> <td>280.00</td> <td>Request an oral hearing</td> <td></td> </tr> <tr> <td>138</td> <td>1,510.00</td> <td>Petition to institute a public use proceeding</td> <td></td> </tr> <tr> <td>140</td> <td>110.00</td> <td>Petition to revive – unavoidable</td> <td></td> </tr> <tr> <td>141</td> <td>1,280.00</td> <td>Petition to revive – unintentional</td> <td></td> </tr> <tr> <td>142</td> <td>1,280.00</td> <td>Utility issue fee (or reissue)</td> <td></td> </tr> <tr> <td>143</td> <td>460.00</td> <td>Design issue fee</td> <td></td> </tr> <tr> <td>144</td> <td>620.00</td> <td>Plant issue Fee</td> <td></td> </tr> <tr> <td>122</td> <td>130.00</td> <td>Petitions to the Commissioner</td> <td></td> </tr> <tr> <td>123</td> <td>50.00</td> <td>Petitions related to provisional applications</td> <td></td> </tr> <tr> <td>126</td> <td>180.00</td> <td>Submission of Information Disclosure Statement</td> <td></td> </tr> <tr> <td>581</td> <td>40.00</td> <td>Recording each patent assignment per property (times number of properties)</td> <td></td> </tr> <tr> <td>146</td> <td>740.00</td> <td>Filing a submission after final rejection (37 CFR § 1.129(a))</td> <td></td> </tr> <tr> <td>149</td> <td>740.00</td> <td>For each additional invention to be examined (37 CFR § 1.129(b))</td> <td></td> </tr> <tr> <td colspan="4">Other Fee (specify)</td> <td colspan="3"></td> </tr> </tbody> </table>			Large Fee Code	Entity	Fee Description	Fee Paid	105	130.00	Surcharge – late filing fee or oath		127	50.00	Surcharge – late provisional filing fee or cover sheet		139	130.00	Non-English specification		147	2,520.00	For filing a request for examination		112	920.00*	Requesting publication of SIR prior to Examiner action		113	1,840.00*	Requesting publication of SIR after Examiner action		115	110.00	Ext. for reply within first month		116	400.00	Ext. for reply within second month		117	920.00	Ext. for reply within third month		118	1,440.00	Ext. for reply within fourth month		128	1,960.00	Ext. for reply within fifth month		119	320.00	Notice of Appeal		120	320.00	Filing a brief in support of an appeal		121	280.00	Request an oral hearing		138	1,510.00	Petition to institute a public use proceeding		140	110.00	Petition to revive – unavoidable		141	1,280.00	Petition to revive – unintentional		142	1,280.00	Utility issue fee (or reissue)		143	460.00	Design issue fee		144	620.00	Plant issue Fee		122	130.00	Petitions to the Commissioner		123	50.00	Petitions related to provisional applications		126	180.00	Submission of Information Disclosure Statement		581	40.00	Recording each patent assignment per property (times number of properties)		146	740.00	Filing a submission after final rejection (37 CFR § 1.129(a))		149	740.00	For each additional invention to be examined (37 CFR § 1.129(b))		Other Fee (specify)						
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**SUBMITTED BY**

Name (Print/Type)	Margaret A. Connor	Registration No.	30,043	Telephone	510-527-1418 or 510-559-6067
Signature	<i>Margaret Connor</i>			Date	February 27, 2002

**WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

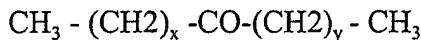
**COPY**  
CLAIMS

PATENT

What is claimed is:

1. A method of controlling parasitic mites of honey bees, which comprises exposing parasitic mites to a miticidally effective amount of a compound, comprising:

(a) a ketone of the structure:



wherein y is 0 and x is 0 to 5 or wherein y is 1 or 2 and x is 3 or 2, respectively;

or

(b) a compound selected from the group consisting of 1-heptanol, ethyl butyrate, benzaldehyde, heptaldehyde, and d-limonene,

wherein said miticidal amount is effective to kill mites, to incapacitate mites such as by disrupting neural or other physiological functions to prevent essential mite functions or reproduction, or to render mites impaired sufficiently to be trapped, drowned, isolated, or otherwise removed from an area.

2. The method of claim 1 wherein said parasitic mites are Varroa mites.

3. The method of claim 1 wherein said controlling is carried out by placing said effective amount of said miticidal compound inside a honey bee hive so that vapors of said compound are distributed in the hive.

4. The method of claim 1 wherein said effective amount of said miticidal compound is dispensed by a dispensing means comprising a device or formulation which provides controlled release, slow release or sustained release of said compound.

5. The method of claim 4 wherein said parasitic mites are exposed to an effective amount of said miticidal compound for one or more brood cycles.

6. The method of claim 5 wherein said parasitic mites are exposed to an effective amount of said miticidal compound for two or more brood cycles.

7. The method of claim 1 wherein said miticidal compound is 2-heptanone.

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8. A method of controlling parasitic mites of honey bees, which comprises placing in an area where mites are to be attracted a dispenser means which provides an amount of 2-heptanone effective to attract parasitic mites.

9. The method of claim 8 wherein said parasitic mites are Varroa mites.

10. The method of claim 8 wherein said dispensing means comprises a device or formulation which provides controlled release, slow release or sustained release of 2-heptanone.

11. A method of controlling hive invading pests of honey bees, which comprises placing in an area where pests are to be controlled a dispenser means which provides an effective hive invader-controlling amount of 2-heptanone.

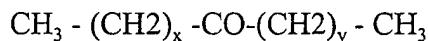
12. The method of claim 11 wherein said dispensing means comprises a device or formulation which provides controlled release, slow release or sustained release of 2-heptanone.

13. The method of claim 11 wherein said hive invading pest is selected from the group consisting of greater wax moth, lesser wax moth, small hive beetle, ants, and *Tropilaelaps*.

14. The method of claim 11 wherein said hive invading pest is the greater wax moth, *Galleria mellonella*.

15. A miticidal composition for controlling parasitic mites of honey bees which comprises a dispenser means which provides a miticidally effective amount of a compound, comprising:

(a) a ketone of the structure:



wherein y is 0 and x is 0 to 5 or wherein y is 1 or 2 and x is 3 or 2, respectively; or

(b) a compound selected from the group consisting of 1-heptanol, ethyl butyrate, benzaldehyde, heptaldehyde, and d-limonene,

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wherein said miticidal amount is effective to kill mites, to incapacitate mites such as by disrupting neural or other physiological functions to prevent essential mite functions or reproduction, or to render mites impaired sufficiently to be trapped, drowned, isolated, or otherwise removed from an area.

16. The composition of claim 15 wherein said dispensing means comprises a device or formulation which provides controlled release, slow release or sustained release of said compound in a miticidally effective amount.

17. The composition of claim 15 wherein said dispensing means provides an effective amount of said miticidal compound for one or more brood cycles.

18. The composition of claim 15 wherein said parasitic mites are Varroa mites.

19. An attractant composition for attracting parasitic mites of honey bees, which comprises a dispenser means which provides an amount of 2-heptanone effective to attract parasitic mites.

20. The composition of claim 19 wherein said dispensing means comprises a device or formulation which provides controlled release, slow release or sustained release of 2-heptanone effective to attract parasitic mites of honey bees.

21. The composition of claim 19 wherein said parasitic mites are Varroa mites.

22. A trapping system for controlling parasitic mites of honey bees, which comprises a trapping means and a dispenser means which provides an effective mite-attracting amount of 2-heptanone, wherein said dispenser means is located within sufficient proximity to said trapping means so that mites that are attracted are trapped.

23. A composition for controlling hive invading pests of honey bees, which comprises a dispenser means which provides an effective hive invader-controlling amount of 2-heptanone.

24. The composition of claim 23 wherein said dispensing means comprises a device or formulation which provides controlled release, slow release or sustained release of 2-heptanone effective to control hive invading pests.

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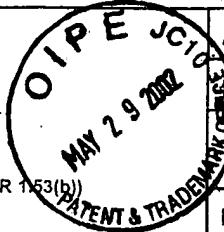
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25. The composition of claim 23 wherein hive invading pest is selected from the group consisting of greater wax moth, lesser wax moth, small hive beetle, ants, and *Tropilaelaps*.

26. The compositions of claim 23 wherein said hive invading pest is the greater wax moth, *Galleria mellonella*.

UTILITY  
PATENT APPLICATION  
TRANSMITTAL

(Only for new non-provisional applications under 37 CFR 1.53(b))



Attorney Docket No.	0293.99R
First Inventor	Eric H. Erickson et al.
Title	Control of Parasitic Mites of Honey Bees
Express Mail No.	EF408136155US

## APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility Patent application contents.

<input checked="" type="checkbox"/> Fee Transmittal Form (e.g., PTO/SB/17) (Submit an original and a duplicate for fee processing)	<input type="checkbox"/> CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
<input checked="" type="checkbox"/> Specification Total Pages: 44 (Preferred arrangement set forth below) - Descriptive title of the invention - Cross Reference to Related Application - Statement Regarding Fed sponsored R & D - Reference to sequence listing, a table, or a computer program listing appendix - Background of the Invention - Brief Summary of the invention - Brief Description of the Drawings (if filed) - Detailed Description - Claims - Abstract of the Disclosure	<input type="checkbox"/> Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary) [ ] Computer Readable Form (CRF) [ ] Specification Sequence Listing on: [ ] CD-ROM or CD-R (2 copies) or [ ] Paper [ ] Statements verifying identity of above copies
<input type="checkbox"/> Drawing(s) (35 U.S.C. 113) Total Sheets	<b>ACCOMPANYING APPLICATION PARTS</b>
<input checked="" type="checkbox"/> Oath or Declaration Total Pages 2 [ ] Newly UNexecuted (original or copy) [ ] Copy from a prior application (37 CFR 1.63(d)) (For continuation/divisional with Box 17 completed)	<input type="checkbox"/> Assignment Papers (cover sheet & documents) <input type="checkbox"/> 37 CFR 3.73(b) Statement <input type="checkbox"/> English Translation Document (if applicable) <input type="checkbox"/> Information Disclosure Statement [ ] Copies of IDS (IDS) / PTO-1449 Citations <input type="checkbox"/> Preliminary Amendment <input checked="" type="checkbox"/> Return Receipt Postcard (MPEP 503) (Should be specifically itemized) <input type="checkbox"/> Certified Copy of Priority Document(s) (If foreign priority is claimed) <input type="checkbox"/> Nonpublication Request under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent <input checked="" type="checkbox"/> Other: Request to Rescind Previous NonPublication Request 35 U.S.C. 122(b)(2)(B)(ii);
<input type="checkbox"/> Unexecuted Power of Attorney or Authorization of Agent (5 pages) <input checked="" type="checkbox"/> Application Data Sheet. See 37 CFR 1.76 3 pages	

If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

 Continuation       Divisional       Continuation-In-Part (CIP)      of prior application no.

Prior application information: Examiner: Group/Art Unit:

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts

## Correspondence Address

Customer Number:

25278  
PATENT TRADEMARK OFFICE

Name	Margaret A. Connor	Registration No. (Attorney/ Agent)	30,043
Signature		Date	February 27, 2002

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, D.C. 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

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February 27, 2002

New Utility Application

Correspondence Received:

PATENT

Utility Patent Application Transmittal; Fee Transmittal FY2002 (2 copies); Application Data Sheet (3 pages); Declaration (37 CFR 1.63) for Utility or Design Application Using an Application Data Sheet (37 CFR 1.76) (2 pages); Power of Attorney or Authorization of Agent (5 pages); Request to Rescind Previous NonPublication Request 35 U.S.C. 122(b)(2)(B)(ii); Utility Patent Application; Certificate of mailing by Express Mail

USDA Docket No. 0293.99R

jc997 U.S. PTO  
10/087161

Inventor(s): Eric H. Erickson et al.

  
02/27/02

Title: Control of Parasitic Mites of Honey Bees

**RECEIVED**  
MAR 20 2002

Express Mail No. EF408136155US

BY: \_\_\_\_\_

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Citizenship Country:: US

#### **CORRESPONDENCE INFORMATION**

Customer Number:: 25278

#### **APPLICATION INFORMATION**

Title Line One:: Control of Parasitic Mites of Honey Bees  
Total Drawing Sheets:: 0  
Application Type:: Utility  
Docket Number:: 0293.99R

## **REPRESENTATIVE INFORMATION**

Customer Number:: 25278

**COPY**

## **CONTINUITY INFORMATION**

This application is a:: Non Prov. of Provisional  
>Application One:: 60/272,097  
Filing Date:: 02/28/2001

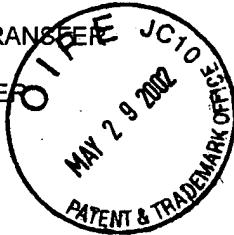


UNITED STATES PATENT AND TRADEMARK OFFICE

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WASHINGTON, D.C. 20231  
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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/087,161	02/27/2002	Eric H. Erickson	0293.99R

25278  
USDA-ARS-OFFICE OF TECHNOLOGY TRANSFER  
PATENT ADVISORS OFFICE  
WESTERN REGIONAL RESEARCH CENTER  
800 BUCHANAN ST  
ALBANY, CA 94710



CONFIRMATION NO. 2630

FORMALITIES LETTER



\*OC000000007754056\*

Date Mailed: 04/01/2002

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 130.

*A copy of this notice **MUST** be returned with the reply.*

C. J. Harrison  
Customer Service Center

Initial Patent Examination Division (703) 308-1202

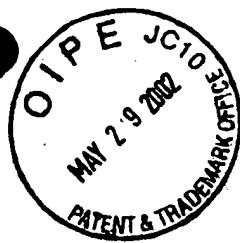
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BY: \_\_\_\_\_

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Docket No. 0293.99R  
Serial No. 10/087,161

PATENT

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"Express Mail" Mailing No. EF408136022US  
Date of Deposit: **May 29, 2002**

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Margaret A. Connor  
(Typed or Printed Name of Person Mailing Paper or Fee)

*Margaret Connor*  
(Signature of Person Mailing Paper or Fee)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of	)	
	)	
ERIC H. ERICKSON JR. ET AL.	)	
	)	ATTN: Office of Initial Patent Examination's
CONTROL OF PARASITIC MITES	)	Customer Service Center
OF HONEY BEES	)	
	)	
Serial No. 10/087,161	)	
	)	
Date Filed February 27, 2002	)	

COMMUNICATION

The Honorable

The Commissioner of Patents & Trademarks

Sir:

The Commissioner's attention is respectfully directed to the enclosed

1. Response to Notice to File Missing Parts with supporting documents.
2. Request for Correction of Filing Receipt with supporting documents.

The Commissioner is authorized to charge any fees associated with these two requests to Deposit Account No. 50-2135.

If there are any questions or comments, the undersigned attorney earnestly requests a telephone conference.

Docket No. 0293.99R  
Serial No. 10/087,161

PATENT

Respectfully Submitted,

*Margaret Connor*

Margaret A. Connor  
Attorney of Record  
Registration No. 30,043

Telephone: 510-527-1418 or 510-559-6067

Enclosures

FY2002 Fee Transmittal (2 pages)

Reply to Notice to File Missing Parts

Return Copy of Notice to File Missing Parts (PTO Form 1533)

Executed Declaration (2 pages)

Executed Power of Attorney or Authorization of Agent (5 pages)

Request for Correction of Filing Receipt

Copy of Official Filing Receipt with changes made

Copy of Fee Transmittal Form

Copy of claims as filed in the application

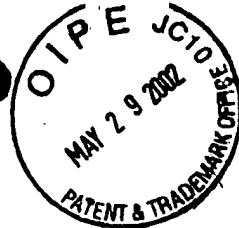
Copy of Utility Patent Application Transmittal

Copy of Post Card Receipt

Copy of Request to Rescind Previous Non-Publication Request 35 U.S.C. 122(b)(2)(B)(ii)

Copy of Application Data Sheet

Postcard Receipt



# 3

Docket No.: 0293.99R  
Serial No. 10/087,161

PATENT

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Margaret A. Connor  
(Typed or Printed Name of Person Mailing Paper or Fee)

Margaret Connor  
(Signature of Person Mailing Paper or Fee)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

In re application of	)	ATTN: Office of Initial Patent Examination's
Eric H. Erickson Jr et al.	)	Customer Service Center
CONTROL OF PARASITIC MITES	)	
OF HONEY BEES	)	
Serial No.: 10/087,161	)	
Date Filed: February 27,2002	)	

REPLY TO NOTICE TO FILE MISSING PARTS

The Honorable  
The Commissioner for Patents

Sir:

This is responsive to the Notice of the Patent and Trademark Office dated April 1, 2002 to file missing parts.

Enclosed herewith are:

1. A duly executed Declaration in compliance with 37 CFR 1.63, which identifies the application by the Application Number and Filing Date set forth in the Notice,
2. A duly executed Power of Attorney or Authorization of Agent, and
3. Return copy of the Notice to File Missing Parts (PTO Form 1533).

Docket No.: 0293.99R  
Serial No. 10/087,161

PATENT

FEE AUTHORIZATION

The Commissioner is hereby authorized to charge the required surcharge of \$130.00 to Deposit Account No. 50-2135. The Commissioner is also authorized to charge Deposit Account No. 50-2135 for any additional fees necessitated by the filing of these documents.

If the Missing Parts Personnel have any questions or comments, the undersigned attorney earnestly request a telephone conference.

Respectfully submitted,

*Margaret Connor*  
MARGARET A. CONNOR  
Attorney of Record  
Registration No. 30,043

Telephone: (510) 527-1418 or (510) 559-6067

Enclosures  
FY2002 Fee Transmittal (2 pages)  
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